

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN  
CITIZENS, *et al.*,

*Plaintiffs,*

v.

GREG ABBOTT, in his official capacity as  
Governor of the State of Texas, *et al.*,

*Defendants.*

CIVIL ACTION NO.  
3:21-cv-00259-DCG-JES-JVB  
[Lead Case]

**LULAC PLAINTIFFS' FURTHER ADVISORY AND OPPOSITION TO STATE  
DEFENDANTS' MOTION TO EXCLUDE EXPERT REPORTS AND TESTIMONY**

Plaintiffs League of United Latin American Citizens, *et al.* ("LULAC Plaintiffs") file this further Advisory and Response to the Court's Order to Respond to Defendants' Motion to Exclude (Doc. 944), and in opposition to State Defendants Motion to Exclude Expert Reports and Testimony (Doc. 920).

LULAC Plaintiffs previously filed their Advisory and Response to State Defendant's Motion to Exclude Expert Reports and Testimony (Doc. 952), confirming (pursuant to the Court's Order, Doc. 944) that Plaintiffs do not intend to rely on the testimony of Dr. Jacob Grumbach in this case, and do not include any of Dr. Grumbach's expert reports on their witness list. Further, LULAC Plaintiffs asked this Court to deny the State Defendants' Motion to Exclude as moot. State Defendants find LULAC Plaintiffs' representations and response to their motion insufficient. Doc. 956.

LULAC Plaintiffs further clarify that Plaintiffs will not call Dr. Jacob Grumbach as a witness in the trial of this case, and will not rely on any of his elections analysis in this case, either through witness testimony or documentary evidence, including Dr. Grumbach's expert reports. LULAC Plaintiffs' pretrial disclosures do not include Dr. Grumbach on the witness list, and do not include any expert reports by Dr. Grumbach on the exhibit list. Doc. 943. Similarly, LULAC Plaintiffs' Notice of Filing of Expert Reports and associated bench binders do not include any expert reports by Dr. Grumbach. Doc. 937.

All Plaintiff groups in this case have confirmed to LULAC counsel that they will not use Dr. Grumbach's analysis, reports, or data at trial, and LULAC counsel have notified State Defendants of their agreement in this regard.

LULAC Plaintiffs further oppose State Defendants Motion to Exclude Expert Reports and Testimony (Doc. 920), because the motion is now moot. *See* Proposed Order, Doc. 952-1.

Date: May 7, 2025

Respectfully submitted,

/s/ Nina Perales

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that she has electronically submitted a true and correct copy of the above and foregoing via the Court's electronic filing system on the 7th day of May 2025.

/s/ Nina Perales

Nina Perales